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Attorney Docket No. P24072

In re application of : Shigenobu SATO et al

Application No. : 10/642,756

Mail Stop Amendment

Group Art Unit: 3738

Filed : August 19, 2003

Examiner: Alvin J. Stewart

For : INTERVERTEBRAL SPACER

Mail Stop Amendment

Commissioner for Patents

U.S. Patent and Trademark Office

220 20th Street S.

Customer Window

Crystal Plaza Two, Lobby, Room 1B03

Arlington, VA 22202

Sir:

Transmitted herewith is an **Amendment under 37 C.F.R. 1.111** in the above-captioned application.☒ Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.☐ A Request for Extension of Time.☒ No additional fee is required.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 6	*20	0	x 9=	\$0.00	x 18=	\$
Indep. Claims: 1	**3	0	x 44=	\$0.00	x 88=	\$
Multiple Dependent Claims Presented			+150=	\$0.00	+300=	\$
Extension Fees for ____ Month(s)				\$0.00		\$
Total:				\$0.00	Total:	\$

* If less than 20, write 20

** If less than 3, write 3

☐ Please charge my Deposit Account No. 19-0089 in the amount of \$ ____.☐ A check in the amount of \$ ____ to cover the filing/extension fee is included.☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.☒ Any additional filing fees required under 37 C.F.R. 1.16.☒ Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 C.F.R. 1.136(a)(3)).

[Signature]
 Bruce H. Bernstein
 Reg. No. 29,027

P24072.A05



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shigenobu SATO et al.
Group Art Unit: 3738
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AMENDMENT UNDER 37 C.F.R. § 1.111

Commissioner for Patents
U.S. Patent and Trademark Office
220 20th Street S.
Customer Window, Mail Stop _____
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

In response to the Office Action of September 7, 2004, which set a three-month shortened statutory period to expire on December 7, 2004, Applicants submit the following remarks for entry in the above-identified patent application and request reconsideration of the rejections and allowance of the application.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 5 of this paper.